

## REMARKS

### **DETAILED DESCRIPTION OF THE INVENTION**

Applicant respectfully submits that the amendment to the Detailed Description of the Invention, does not add any new matter, since the amendment was performed to correct a typographical error.

### **CLAIMS**

#### **REJECTION OF CLAIMS 1-12, 14-16, AND 20 UNDER 35 U.S.C. § 102(e)**

Claims 1-12, 14-16, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,559,863 ("Megiddo").

#### **Independent Claim 1**

Regarding Claim 1, the Office Action states:

Regarding claim 1, Megiddo teaches a system for configuring a conference call comprising a computing device that is communicatively coupled with a server, *(Megiddo discloses FIG. 1a is a schematic illustration of a client computer operatively coupled to a server computer system in accordance with one aspect of the present invention; Column 3 lines 54-56)* said computing device capable of displaying, *(Fig 1c)* to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server. *(Megiddo discloses in step 200, the server 25 provides an electronic conference room 100 for electronic communication between multiple users. In step 210, the electronic conference room 100 provides each user or client with a graphical image representing that user in the electronic conference room 100; Column 7 lines 48-51)*

See Office Action at page 3.

Claim 1 recites “a system for configuring a conference call comprising a computing device that is communicatively coupled with a server, said computing device capable of displaying, to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server.”

The Office Action alleges that Megiddo, at col. 3, lines 54-56, discloses “a system for configuring a conference call comprising a computing device that is communicatively coupled with a server.” Megiddo, at col. 3, lines 54-56, states:

...detail certain illustrative embodiments of the invention. These embodiments are indicative, however, of but a few of the various ways in which the principles of the invention may be employed and the present invention is intended to...

The Applicant respectfully submits that the foregoing passage does not teach anything about “a system for configuring a conference call comprising a computing device that is communicatively coupled with a server.” Consequently, for at least this reason, the Applicant respectfully submits that the Office Action has not shown a teaching of Claim 1. The Office Action alleges that Megiddo, at col. 7, lines 48-51, discloses “to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server.” Megiddo, at col. 7, lines 48-51, states:

FIG. 5 is a flow diagram illustrating one particular methodology for carrying out the present invention with respect to creation and operation of the electronic conference room 100.

The Applicant respectfully submits that Megiddo, at col. 3, lines 54-56, or at col. 7, lines 48-51, does not teach what is recited in Claim 1. Based on the foregoing passages, do these passages teach “a system for configuring a conference call comprising a computing device that is communicatively coupled with a server, said computing device capable of displaying, to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server.” For example, Megiddo does not teach “a system for configuring a conference call,” as recited in Claim 1. Instead, Megiddo, at col. 1 line 57 - col. 2, line 8, for example, discloses an “electronic conference room” in a “cocktail party” environment where everyone can hear other conversations at a level corresponding to the distance one or more parties are from a participant or user. Applicant respectfully submits that an electronic conference room does not teach a conference call. Applicant respectfully submits that communication between multiple groups of users in a conference room environment is different from conducting a conversation between participants in a conference call. A conversation between multiple users in a room provides no privacy among the parties since “the present invention facilitates creating a cocktail party type of interaction medium wherein communications between parties spatially closer to a first user are more intense than communications between parties further away from the first user (see Megiddo, at col. 2 lines 1-5). Furthermore, Megiddo, at col. 2 lines 6-10, states that “the present invention allows for the first user to engage in a conversation with one or more people while concurrently being able to *eavesdrop on conversations* of one or more other parties.” Thus, it is evident that a conference call is not disclosed in Megiddo. Consequently, Megiddo does not disclose “configuring a conference call” or anything about “information regarding a status of the conference call based on at least one communication received from said server,” as recited in Claim 1. Furthermore,

for example, Megiddo, in the Abstract, states “a system and method is provided that allows participants in an electronic conference room to move to any spatial location in the electronic conference room.” In addition, Megiddo, in the Abstract, states “each main user is provided with audible signals from other groups, which is attenuated based on the distance that particular group is from the user's location within the electronic conference room.” Consequently, for at least these reasons, Megiddo does not teach what is recited in Claim 1.

Based on the foregoing reasons, the Office Action has not shown a teaching of what is recited in Claim 1. Thus, Applicant respectfully submits that Claim 1 contains patentable subject matter. Consequently, for at least these reasons, the Applicant respectfully submits that the patentable subject matter in Claim 1 should be advanced to allowance.

The Applicant respectfully submits that because of the foregoing reasons, independent Claim 1 contains patentable subject matter and should be allowed. As a result of providing the foregoing arguments with respect to independent Claim 1, the Applicant may not have commented on all the remarks made by the Examiner regarding dependent Claims 2-6 but reserves the right to do so in the future should the need arise. Furthermore, for at least the reason that Claims 2-6 depend on allowable Claim 1, Applicant respectfully submits that Claims 2-6 are in condition for allowance. Thus, the Applicant respectfully requests allowance of Claims 1-6.

### **Independent Claim 7**

Regarding Claim 7, the Office Action states:

Regarding claim 7, Megiddo teaches is [sic] a method of configuring side conference calls comprising: selecting one or more participant identifiers from at least one existing conference call; and positioning said selected participant identifiers into at least one side conference call identifier. (*Megiddo discloses*

*referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, [sic] using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)*

See Office Action at page 7.

Claim 7 recites “a method of configuring side conference calls comprising: selecting one or more participant identifiers from at least one existing conference call; and positioning said selected participant identifiers into at least one side conference call identifier.”

The Office Action alleges that Megiddo, at col. 6, lines 41-61, discloses what is recited in Claim 7. Megiddo, at col. 6, lines 41-61, states:

Referring to FIGS. 2b-2e, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2e, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of all the icons representing the participants. It is to be appreciated that each participant will become the user with respect to the representation of the icon representing them in the electronic

conference room 100 during a conferencing session. Therefore, the icon, the picture or video image will appear closest in the electronic conference room 100 to that particular participant. In addition, the audio signal and the caption for each of the graphic images will be loudest and largest, respectively, in the group that the participant is a part.

Applicant respectfully submits that Megiddo does not teach or disclose anything about “configuring *conference calls*,” as recited in Claim 7. Furthermore, Megiddo does not teach or disclose anything about “selecting one or more participant identifiers from at least one existing *conference call*,” as recited in Claim 7. Nor does Megiddo disclose anything about “positioning said selected participant identifiers into at least one side *conference call identifier*.” Megiddo discloses implementation of a plurality of groups in an *electronic conference room* as opposed to implementation of a conference call. Since Megiddo teaches use of an electronic conference room, Megiddo does not teach the “conference call” recited in Claim 7. Furthermore, since Megiddo does not teach a conference call, Megiddo does not teach an identifier that identifies a conference call or a “conference call identifier,” as recited in Claim 7. For at least the foregoing reasons, the Office Action does not show a teaching of Claim 7. Therefore, Claim 7 contains patentable subject matter which should be passed to allowance. The Applicant would like to reference what is stated in Megiddo at col. 1, line 67 – col. 2, line 8:

Accordingly, the present invention facilitates creating a cocktail party type interaction medium wherein communications between parties spatially closer to a first user are more intense (louder and/or larger text) than communications between parties further away from the first user. Thus, the present invention allows for the first user to engage in a conversation with one or more people while concurrently being able to eavesdrop on conversations of one or more other parties.

Thus, based on the foregoing passage, it is evident that Megiddo teaches “creating a cocktail party interaction medium” which “allows for the first user to engage in a conversation with one or more people while concurrently being able to eavesdrop on conversations of one or more other parties.” Thus, Megiddo does not teach anything about “configuring *conference calls*,” “selecting one or more participant identifiers from at least one existing *conference call*,” or “positioning said selected participant identifiers into at least one side *conference call identifier*,” as recited in Claim 7.

Thus, based on the foregoing reasons, Megiddo does not teach what is recited in Claim 7. Therefore, the Office Action has not shown a teaching of what is recited in Claim 7. Consequently, the Applicant respectfully submits that Claim 7 contains patentable subject matter which should be allowed.

As a result of providing the foregoing arguments with respect to independent Claim 7, the Applicant may not have commented on all the remarks made by the Examiner regarding dependent Claims 8-10 but reserves the right to do so in the future should the need arise. Furthermore, for at least the reason that Claims 8-10 depend on allowable Claim 7, Applicant respectfully submits that Claims 8-10 are in condition for allowance. Thus, the Applicant respectfully requests allowance of Claims 7-10.

### **Independent Claim 11**

Regarding Claim 11, the Office Action states:

Regarding claim 11, Megiddo teaches a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping

participant identifiers into said conference identifiers. (Megiddo discloses In [sic] accordance with yet another aspect of the present invention a system is provided for providing an electronic forum for allowing multiple users to communicate simultaneously with one another. The system includes means for providing an interface, a plurality of computers coupled to the means for providing an interface, means for providing each user of each of the plurality of computers with a graphic image in the electronic conference room representing the user, means for allowing each user to move their respective graphic image to form small groups with other users and means for communicating with other users within the group; Column 3 lines 14-26. Megiddo further discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)

*See Office Action at page 9.*

Claim 11 recites “a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping participant identifiers into said conference identifiers.”

The Office Action references Megiddo, at col. 3, lines 14-26, in an attempt to show a teaching of “a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping participant identifiers into said conference identifiers.”

Megiddo, at col. 3, lines 14-26, states:



In accordance with yet another aspect of the present invention, an electronic conference room is provided. The electronic conference room includes an interface system adapted to be employed by multiple users for establishing communication with one another. The interface system further provides each user with a graphical image representing the user and allows the user to move the graphical image to different locations within the electronic conference room, so as to form small communication groups. The electronic conference room also includes a communication medium adapted to provide each user with the ability to communicate with other users within their respective communication group.

The Office Action further references Megiddo, at col. 6, lines 41-61, in an attempt to show a teaching of “a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping participant identifiers into said conference identifiers.”

Megiddo, at col. 6, lines 41-61, states:

Referring to FIGS. 2*b*-2*e*, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2*e*, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of all the icons representing the participants. It is to be appreciated that each participant will become the user with respect to the representation of the icon representing them in the electronic conference room 100 during a conferencing session. Therefore, the icon, the picture or video image will appear closest in the electronic conference room 100

to that particular participant. In addition, the audio signal and the caption for each of the graphic images will be loudest and largest, respectively, in the group that the participant is a part.

The Applicant respectfully submits that Megiddo does not teach what is recited in Claim 11. Megiddo does not teach “configuring one or more *conference calls*,” or “creating conference identifiers,” or “grouping participant identifiers into said conference identifiers,” as recited in Claim 11. For example, Megiddo does not disclose anything about “one or more conference calls.” Nor does Megiddo disclose anything about “conference identifiers.” Megiddo, at col. 6, lines 41-6, discloses moving or dragging a graphical image representing a user around an electronic conference room, so as to enter small communication groups by way of dragging a user “into or near to” a group in a cocktail party setting. Applicant respectfully submits that while Megiddo discloses various groups in an electronic conference room, Megiddo does not disclose “conference identifiers.” Applicant respectfully requests the Examiner to refer to Applicant’s arguments presented for Claims 1 and 7.

Thus, Megiddo does not teach what is recited in Claim 11. Therefore, the Office Action has not shown a teaching of what is recited in Claim 11. Thus, Applicant respectfully submits that Claim 11 contains patentable subject matter. Consequently, for at least these reasons, the Applicant respectfully submits that the patentable subject matter in Claim 11 should be advanced to allowance. As a result of providing the foregoing arguments with respect to independent Claim 11, the Applicant may not have commented on all the remarks made by the Examiner regarding dependent Claims 12-19 but reserves the right to do so in the future should the need arise. Furthermore, for at least the reason that Claims 12-19 depend on allowable Claim 11,

Applicant respectfully submits that Claims 12-19 are in condition for allowance. Thus, the Applicant respectfully requests allowance of Claims 11-19.

### **Independent Claim 20**

Regarding Claim 20, the Office Action states:

Regarding claim 20, Ludwig teaches a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers. *(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61) (Ludwig discloses the preferred embodiment provides two ways for initiating a conference call. The first way is to add one or more parties to an existing two-party call. For this purpose, an Add button is provided by both the collaboration Initiator and the Rolodex, as illustrated in Figs. 2A and 22. To add a new party a user selects the party to be added (by clicking on the user's rolodex name or face icon as described above); Column 24 line 39-46)*

See Office Action at pages 12-13.

Claim 20 recites “a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers.”

On page 2 of the Office Action, the Examiner states that “Claims 1-12, 14-16, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Megiddo (6559863). However, the Office Action, at page 12, begins by referring to Ludwig (as opposed to Megiddo), as stated in the preceding passage (i.e., the Examiner states “Regarding claim 20, *Ludwig* teaches a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers.”) Immediately thereafter, the Office Action alleges that Megiddo, at col. 6, lines 41-61, discloses what is recited in Claim 20. Megiddo, at col. 6, lines 41-61, states:

Referring to FIGS. 2b-2e, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2e, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of all the icons representing the participants. It is to be appreciated that each participant will become the user with respect to the representation of the icon representing them in the electronic conference room 100 during a conferencing session. Therefore, the icon, the picture or video image will appear closest in the electronic conference room 100 to that particular participant. In addition, the audio signal and the caption for each

of the graphic images will be loudest and largest, respectively, in the group that the participant is a part.

Based on the foregoing passage from Megiddo, the Applicant respectfully disagrees that Megiddo, at col. 6, lines 41-61, teaches The Office Action alleges that Ludwig, at col. 24, lines 39-46, discloses “a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers.” As was stated by the Applicant with respect to Claims 1, 7, and 11, Megiddo does not teach anything about “conference calls” or “conference identifiers.” Since the Examiner has referenced the same passage that he referenced for Claims 7 and 11, the Applicant respectfully requests the Examiner to review Applicant’s arguments for Claims 7 and 11. For at least these reasons, Applicant respectfully requests allowance of Claim 20.

Furthermore, the Office Action has referenced Ludwig, at col. 24, lines 39-46, which states:

The preferred embodiment provides two ways for initiating a conference call. The first way is to add one or more parties to an existing two-party call. For this purpose, an ADD button is provided by both the Collaboration Initiator and the Rolodex , as illustrated in FIGS. 2A and 22. To add a new party, a user selects the party to be added (by clicking 45 on the user's rolodex name or face icon as described above) and clicks on the ADD button to invite that new party.

The Applicant respectfully submits that the method of adding a participant using an Add button (as disclosed in Figure 2A of Ludwig) is different from “pointing, clicking, and dragging participant identifiers into one or more conference identifiers,” as recited in Claim 20. Likewise,

the Examiner's remark that "to add a new party a user selects the party to be added (by clicking on the user's rolodex name or face icon as described above)," does not show a teaching of "selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers," as recited in Claim 20. Thus, for the foregoing reasons, the Applicant respectfully submits that neither Megiddo nor Ludwig teaches what is recited in Claim 20. Therefore, the Office Action has not shown a teaching of what is recited in Claim 20. Thus, Applicant respectfully submits that Claim 20 contains patentable subject matter. Consequently, for at least these reasons, the Applicant respectfully submits that the patentable subject matter in Claim 20 should be advanced to allowance.

As a result of providing the foregoing arguments with respect to independent Claim 20, the Applicant may not have commented on all the remarks made by the Examiner regarding dependent Claims 21-26 but reserves the right to do so in the future should the need arise. Furthermore, for at least the reason that Claims 21-26 depend on allowable Claim 20, Applicant respectfully submits that Claims 21-26 are in condition for allowance. For example, the Applicant respectfully submits that Ludwig, at col. 28 lines 48-67 and col. 32 lines 45-47, does not teach what is recited in dependent Claim 26. Furthermore, while the Examiner states that "Ludwig discloses audio/video editors and views running on the client workstation use the same software interfaces as the multimedia teleconferencing system to establish these network connections," the Applicant respectfully submits that the Examiner's remark has nothing to do with what is recited in Claim 26. The Office Action has not shown a teaching of a "recorded playback compris[ing] an image enhanced playback," as recited in Claim 26. Therefore,

dependent Claim 26 recites patentable subject matter. Consequently, based on the foregoing reasons, the Applicant respectfully requests allowance of Claims 20-26.

**REJECTION OF CLAIMS 13, 17-19, 21-22, AND 25-26 UNDER 35 U.S.C. § 103(a)**

Claims 13, 17-19, 21, 22, 25, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Megiddo in view of U.S. Patent No. 5,758,079 (“Ludwig”). Based on at least the foregoing arguments with respect to the patentability of independent Claims 11 and 20, the Applicant believe that the rejections of independent Claims 11 and 20 under 35 U.S.C. § 102(e) as being unpatentable over Megiddo (or Ludwig for Claim 20) have been overcome; consequently, the Applicant requests that dependent Claims 13, 17-19, 21, 22, 25, and 26 be passed to allowance. Since Claims 13, 17-19, 21, 22, 25, and 26 depend on allowable independent Claims 11 and 20, Claims 13, 17-19, 21, 22, 25, and 26 should be allowed. The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of Claims 13, 17-19, 21, 22, 25, and 26 in a future response. Therefore, for the foregoing reasons, a prima facie case of obviousness has not been established.

**REJECTION OF CLAIMS 23 AND 24 UNDER 35 U.S.C. § 103(a)**

Claims 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Megiddo in view of U.S. Patent No. 6,339,754 (“Flanagan”). Based on at least the foregoing arguments with respect to the patentability of independent Claim 20, the Applicant believe that the rejections of independent Claim 20 under 35 U.S.C. § 102(e) as being unpatentable over Megiddo (or Ludwig) have been overcome; consequently, the Applicant requests that dependent Claims 23-24 be passed to allowance. Since Claims 23-24 depend on allowable independent

Application No. 10/620,048  
In Response to Office Action Mailed on August 6, 2008  
Response Dated: November 6, 2008

Claim 20, Claims 23-24 should be allowed. The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of Claims 23-24 in a future response. Therefore, for the foregoing reasons, a prima facie case of obviousness has not been established.



### **CONCLUSION**

Based on at least the foregoing, Claims 1-26 are in condition for allowance. Therefore, a Notice of Allowance is courteously solicited. Should anything remain in order to place the present Application in condition for allowance, or should the Examiner disagree or have any question regarding this submission, the Examiner is kindly invited to contact the undersigned at (312) 775-8246.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Dated: November 6, 2008

Respectfully submitted,

/Roy B. Rhee/

Roy B. Rhee  
Reg. No. 57,303

McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661-2565  
Telephone: (312) 775-8246  
Facsimile: (312) 775-8100